

CLASSIFICATION OFFICE DECISION

Title of publication: 180871_102744036470561_100002048941878_14860_6544049_n(2).jpg

Other known title(s): Not stated

OFLC ref: 1400090.011

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Secretary for Internal Affairs

Classification:	Unrestricted.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 25 November 2014

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 24 November 2014

Summary of reasons for decision:

The computer image file consists of a black and white photo of two children kissing. Their faces are in close-focus and their bodies aren't shown. There is a mild sexual tone given that brings the image through the subject matter gateway of s3(1) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act), but it is insufficient to cause the publication to promote or support, or tend to promote or support the exploitation of children for sexual purposes under s3(2)(a) of the FVPC Act. It would not be a reasonable and demonstrably justifiable limitation on the right to freedom of expression as per the New Zealand Bill of Rights Act 1990 for the publication to be deemed objectionable, or to be classified anything other than unrestricted.